

2. In addition, each State Party shall be entitled to ask the Depository to convene a meeting of the Commission, within a period of one week, to clarify and resolve any questions relating to compliance with the provisions of this Protocol. Such a request shall be accompanied by relevant information and evidence confirming its validity.

[Adapted from Article 10 (1) of Alternative "A" (West) of the Rolling Text. The word "Verification" is deleted from the name of the Commission and the "request" relates to "compliance" rather than "non-compliance" in an effort to make it optically less confrontational. Note that the essential idea in this new sub-parag is to combine the functions of reviewing annual reports and investigating compliance questions in the same Commission.]

3 (a) The Commission shall conduct an inquiry pursuant to a request to clarify and resolve any questions relating to compliance with the provisions of this Protocol, unless the Commission decides, not later than 48 hours after it has been convened, with a two thirds majority of its members present and voting, that the information and evidence produced does not justify an inquiry.

[Adapted from Article 10 (3) (a) of Alternative "A" (West). Note that an inquiry by the Commission would remain obligatory unless the Commission overrules it.]

(b) For the purposes of the inquiry the Commission shall seek useful assistance and relevant information from States Parties and international organizations concerned and from any other appropriate sources.

[From Article 10 (3) (b) of Alternative "A" (West)]

(c) The inquiry may be supplemented by evidence collected on the spot or in other places. If a majority of the members of the Commission present and voting decide, the Commission may request permission of a party to a conflict, to send a team of experts to conduct a fact-finding mission. A party receiving such a request shall respond to the Commission within 48 hours as to whether permission is granted or refused. If permission is refused, the party shall endeavour to provide reasonable assurances concerning compliance with the provisions of this Protocol. The Commission shall inform all States Parties of the decision to make such a request and the response to it.

[Adapted from Article 11 (1) of Alternative "A" (West). Note that the inquiry is conducted by the Commission, while the fact-finding mission (ie. an on-site inspection) is conducted by a team of experts set up by the Depository (ie. the Secretary-General of the UN) at the request of the Commission (see below). The conduct of an intrusive fact-finding mission is made refusable in the hopes that